

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alyssa Rogowski	Team: Squad #14	CCRB Case #: 201907279	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 08/11/2019 11:40 PM, Monday, 08/12/2019 1:45 AM	Location of Incident: In front of § 87(2)(b) in Queens; 112th Precinct stationhouse	Precinct: 112	18 Mo. SOL 2/11/2021	EO SOL 9/28/2021	
Date/Time CV Reported Thu, 08/15/2019 3:34 PM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Thu, 08/15/2019 3:34 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Andrea Cicillini	03345	941195	112 PCT
2. POM Wilson Chan	30748	952572	WTC CMD
3. SGT Robert Hyland	03268	951836	112 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Andrea Cicillini	Abuse: At § 87(2)(b) in Queens, Police Officer Andrea Cicillini forcibly removed § 87(2)(b) to the hospital.	
B.POM Wilson Chan	Abuse: At § 87(2)(b) in Queens, Police Officer Wilson Chan forcibly removed § 87(2)(b) to the hospital.	
C.SGT Robert Hyland	Abuse: At the 112th Precinct stationhouse, Sergeant Robert Hyland did not process § 87(2)(b)'s complaint regarding officers.	
D.SGT Robert Hyland	Abuse: At the 112th Precinct stationhouse, Sergeant Robert Hyland refused to provide his name to § 87(2)(b)	
E.SGT Robert Hyland	Abuse: At the 112th Precinct stationhouse, Sergeant Robert Hyland refused to provide his shield number to § 87(2)(b)	
F.SGT Robert Hyland	Abuse: At the 112th Precinct stationhouse, Sergeant Robert Hyland forcibly removed § 87(2)(b) to the hospital.	
§ 87(4-b), § 87(2)(g)		
§ 87(4-b), § 87(2)(g)		
§ 87(4-b), § 87(2)(g)		

Case Summary

On August 15th, 2019, § 87(2)(b) filed this complaint in-person at the CCRB.

On August 11th, 2019, at around 11:40pm, § 87(2)(b) called 911 to report an attempted theft of his bicycle in front of § 87(2)(b) in Queens. Police Officer Andrea Cicillini and Police Officer Wilson Chan, both of the 112th Precinct, responded. After speaking with both § 87(2)(b) and some witnesses, PO Cicillini and PO Chan told § 87(2)(b) that they believed he was intoxicated and instructed § 87(2)(b) to go home. § 87(2)(b) refused to leave until the officers wrote a report for the attempted theft of his bicycle, and PO Cicillini and PO Chan called EMS to remove § 87(2)(b) to the hospital (**Allegations A and B: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) was transported to § 87(2)(b).

On August 12th, 2019, at around 1:45am, § 87(2)(b) was released from § 87(2)(b) and went to the 112th Precinct stationhouse to make a complaint about PO Cicillini and PO Chan. At the 112th Precinct stationhouse, Sergeant Robert Hyland of the 112th Precinct allegedly refused to process § 87(2)(b)'s complaint regarding officers (**Allegation C: Abuse of Authority, § 87(2)(g)**). Sgt. Hyland also allegedly refused to provide his name and shield number to § 87(2)(b) upon request (**Allegations D and E: Abuse of Authority, § 87(2)(g)**). Sgt. Hyland then called EMS to remove § 87(2)(b) to the hospital (**Allegation F: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) was transported to § 87(2)(b). § 87(4-b), § 87(2)(g)

No arrests or summonses resulted from these incidents.

The investigation obtained body-worn camera footage from PO Cicillini and PO Chan capturing their first interaction with § 87(2)(b) (Board Review 02, 03). The investigation also obtained stationhouse footage from the 112th Precinct stationhouse (Board Review 11).

Findings and Recommendations

Allegation A—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Andrea Cicillini removed § 87(2)(b) to the hospital.

Allegation B—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Wilson Chan removed § 87(2)(b) to the hospital.

On August 11th, 2019 at around 10:00pm, § 87(2)(b) was on his way home from a Mets game (Board Review 01). When he reached the front of § 87(2)(b), which is about 200 feet from his house, located at § 87(2)(b), § 87(2)(b) experienced pain in his knee and decided to sit on a low brick wall, holding his bike in front of him. After about five minutes, an older man came out of § 87(2)(b), yelled at § 87(2)(b) and told him he had to leave and go home. The older man approached § 87(2)(b) and tried to take his bike away, resulting in § 87(2)(b) and the man both tugging on the bike. Because of the commotion, the two women who lived in § 87(2)(b) came outside. The older man told the women to call the police. Two or three marked SUVs arrived and officers told § 87(2)(b) he had to leave, and stated that he could not be on private property. § 87(2)(b) complied and went to his house to drop off his bike.

After leaving his bike in his yard, § 87(2)(b) walked back down § 87(2)(b) to Metropolitan Avenue. By the time he came back by § 87(2)(b), all of the officers had left. § 87(2)(b) crossed Metropolitan Avenue, then at around 11:40pm, he called 911 to report that someone had tried to steal his bike.

After about two minutes, § 87(2)(b) saw a police car come down § 87(2)(b) and pull in front of § 87(2)(b), so he walked back across Metropolitan Avenue and approached the vehicle. As § 87(2)(b) walked over, he could see that the two officers had exited their vehicle and were standing on the sidewalk speaking with the women from § 87(2)(b). When § 87(2)(b) reached them, the two officers in the vehicle, who later identified themselves to § 87(2)(b)

§ 87(2)(b) as PO Cicillini and PO Chan, asked him why he was still there and why he had not gone home. § 87(2)(b) told them that he called 911 because the man in § 87(2)(b) tried to steal his bike and he wanted to make a report about that. § 87(2)(b) and the officers went back and forth with the officers telling § 87(2)(b) to go home and § 87(2)(b) stating that he wanted to make a report.

PO Cicillini then stated that § 87(2)(b) was intoxicated and that he smelled alcohol on § 87(2)(b). PO Chan and PO Cicillini asked § 87(2)(b) if he had anything to drink, which he denied. § 87(2)(b) told PO Chan and PO Cicillini that he was not intoxicated. In his interview, § 87(2)(b) denied that he had been drinking that evening. When asked if there was any reason he might have smelled of alcohol, § 87(2)(b) stated he had been at a Mets game earlier and while he was drinking soda, it was possible beer spilled on his bag, which he had with him while speaking to PO Chan and PO Cicillini.

PO Chan and PO Cicillini asked § 87(2)(b) if he would go home, to which § 87(2)(b) replied that he would not leave until they took a report for him about the attempted theft of his bicycle. PO Cicillini and PO Chan then stated, "That's it, you're a drunk, we're calling an ambulance for you." § 87(2)(b) asked why they were calling an ambulance and the officers stated that it was because he was intoxicated and they could smell it. The officers stated that § 87(2)(b) had to go in the ambulance even though he was not under arrest.

An ambulance arrived and the officers had some conversation with the EMTs but § 87(2)(b) did not know what was said. § 87(2)(b) was not placed in handcuffs and neither PO Cicillini nor PO Chan rode in the ambulance or came to the hospital. § 87(2)(b) was taken to § 87(2)(b), where nurses told § 87(2)(b) he was not intoxicated and quickly discharged him.

Medical Records obtained from § 87(2)(b) state that after § 87(2)(b) was brought in via ambulance, he was evaluated, found to not be in need of medical attention, and quickly released. § 87(2)(b)'s medical records indicate that he was not observed to be clinically intoxicated (Board Review 18).

The investigation obtained body-worn camera footage from PO Cicillini and PO Chan (Board Review 02, 03). Between 1:46 – 2:33 in PO Cicillini's BWC, PO Chan and PO Cicillini can both be heard telling § 87(2)(b) he is intoxicated and instructing him to go home. PO Chan states that § 87(2)(b) is irrational because he thinks someone stole his bike and that did not happen. § 87(2)(b) repeats that his bike was not stolen, rather someone attempted to steal his bike. Between 6:30 - 6:39 in PO Chan's BWC, PO Chan states that he is going to call an ambulance and § 87(2)(b) will go to the hospital. When § 87(2)(b) asks why he would call an ambulance, PO Chan replies that it is because § 87(2)(b) is drunk. PO Chan tells § 87(2)(b) to go home and when § 87(2)(b) refuses, PO Chan states, "Then I'm calling the ambulance. I gave you those two options." From 8:01 – 8:11 in PO Cicillini's BWC, § 87(2)(b) states, "I'll go wherever you want me to go, but I am not going home until you tell me that you are going to make a report about him trying to steal my bicycle." At 8:13 in his BWC, PO Cicillini states, "You're going to the hospital. That's it now." At 8:15 in his BWC, PO Chan goes over the radio and requests an ambulance for an intoxicated male. Between 11:28 and 11:54 in PO Cicillini's BWC, § 87(2)(b) asks PO Cicillini for the basis under which he is having § 87(2)(b) go in an ambulance. PO Cicillini replies, "Intoxication. You're intoxicated, you have to go to the hospital." PO Cicillini states, "You're acting very irrational right now. You're not listening." § 87(2)(b) replies that he is not listening because the officers are not making his report. At 11:30 in PO Chan's BWC, PO Chan can be heard stating, "We gave you an option. Either you go home or you go the hospital and you're not going home," in response to § 87(2)(b)'s question about why he was being removed to the hospital.

PO Chan prepared an AIDED for this incident and wrote that, "At TPO Aided was found intoxicated wandering up and down the sidewalk. EMS removed to § 87(2)(b)" (Board Review 09).

The investigation received three 911 recordings relating to this incident. The first is a 911 recording of a woman calling for police because a man, whom she believed to be intoxicated, was trespassing in front of her house and arguing with her neighbor (Board Review 04). The investigation also obtained two subsequent 911 recordings of § 87(2)(b) requesting police because someone had tried to steal his bicycle (Board Review 05, 06).

PO Chan and PO Cicillini were both interviewed about this incident (Board Review 07, 08). Both PO Chan and PO Cicillini recalled that they responded to the location following a call about a robbery and that upon arrival, they spoke with both § 87(2)(b) and the witnesses. PO Chan stated that § 87(2)(b) was claiming that someone had taken his bike but the witnesses said that § 87(2)(b) had been on their stoop and that he had been refusing to leave so they called the police and took his bike off their porch. § 87(2)(b) however, continued to insist that he had been robbed.

Both PO Chan and PO Cicillini stated that while interacting with § 87(2)(b) they observed a strong odor of alcohol on § 87(2)(b)'s breath. PO Chan stated that § 87(2)(b) was extremely intoxicated and added that § 87(2)(b) was § 87(2)(b) not walking straight. PO Chan did not notice anything else about § 87(2)(b)'s demeanor or actions that indicated to him that § 87(2)(b) was intoxicated and denied he was slurring his speech. When asked if there was anything besides the odor of alcohol that indicated to him that § 87(2)(b) was intoxicated, PO Cicillini stated that § 87(2)(b) kept repeating his issue with the bike and the neighbors and that he was not listening to the officers.

PO Chan believed that § 87(2)(b) was a danger to himself and others because he was intoxicated. When asked in what sense he was a danger, PO Chan stated that because § 87(2)(b) was drunk, he could walk out into the street and get hit by a car and he did not believe § 87(2)(b) could take care of himself. Because of these observations that § 87(2)(b) was intoxicated, PO Chan and PO Cicillini made the decision to send § 87(2)(b) to the hospital so they called for EMS. PO Chan added that he and PO Cicillini had given § 87(2)(b) the chance to leave but he refused so they called EMS.

When EMS arrived, PO Cicillini stated that he and PO Chan had a brief conversation with EMS about how they believed that § 87(2)(b) was intoxicated and asked to which hospital EMS would take § 87(2)(b). PO Cicillini stated that ultimately, it was his and PO Chan's decision that § 87(2)(b) should go to the hospital and added that EMS did not dispute their decision. PO Chan and PO Cicillini did not accompany § 87(2)(b) to the hospital.

NYPD Patrol Guide Procedure 221-13, which outlines the procedure for members of service dealing with mentally ill or emotionally disturbed persons, states that when a uniformed member of service reasonably believes that a person who is apparently mentally ill or emotionally disturbed must be taken into protective custody because the person is conducting himself in a manner likely to result in a serious injury to himself or others, that member of service should ensure that the EDP is secure, then have the EDP removed to the hospital in an ambulance (Board Review 10).

§ 87(2)(g)

[REDACTED]

Allegation C—Abuse of Authority: At the 112th Precinct stationhouse, Sergeant Robert Hyland refused to process § 87(2)(b)'s complaint regarding officers.

When § 87(2)(b) was discharged from § 87(2)(b), he took an Uber from the hospital to the 112th Precinct with the intention of filing a complaint about PO Chan and PO Cicillini. After two or three minutes of waiting in the waiting area, § 87(2)(b) was approached by Sgt. Hyland who asked him why he was there. § 87(2)(b) explained that he wanted to make a complaint about PO Chan and PO Cicillini. § 87(2)(b) stated that he had wanted to make a report about an attempted theft but PO Cicillini and PO Chan had made him go in an ambulance instead and he felt like he was unlawfully detained. Sgt. Hyland showed him a card with the CCRB's phone number and address and told him he could make a report that way. § 87(2)(b) replied that he had looked online and learned that he could file a complaint in any police precinct and since PO Cicillini and PO Chan worked at the 112th Precinct, he wanted to file it there. Sgt. Hyland became angry and told § 87(2)(b) to either call the CCRB or go to the CCRB's office to make a complaint. Sgt. Hyland told him that he could not file the complaint in the precinct.

Stationhouse footage from the 112th Precinct stationhouse shows § 87(2)(b) talking with Sgt. Hyland in the waiting room (Board Review 11). § 87(2)(b) is sitting in a chair in the waiting room and Sgt. Hyland walks around the waiting room while talking. At both 6:29 and 14:53 in the stationhouse footage, Sgt. Hyland points to a sign on a desk in the waiting room and gestures back towards § 87(2)(b). It is not clear from the stationhouse footage what, if anything, is written on the sign.

Sgt. Hyland stated that he was standing near the desk at the 112th Precinct stationhouse when § 87(2)(b) walked inside and that PO Chan and PO Cicillini were also present (Board Review 12). PO Cicillini and PO Chan informed Sgt. Hyland of an earlier robbery incident with § 87(2)(b). Sgt. Hyland did not remember if § 87(2)(b) had come to the 112th Precinct stationhouse in order to file a complaint against PO Cicillini or PO Chan. Sgt. Hyland did not recall the specific procedure for filing a CCRB complaint at the precinct stationhouse, but stated that he would have followed the procedure step-by-step. Sgt. Hyland confirmed that civilians can file complaints at a precinct stationhouse.

During his interview, Sgt. Hyland reviewed stationhouse footage capturing his interaction with § 87(2)(b) (Board Review 11). Between 14:50-15:07, Sgt. Hyland is seen gesturing towards something on the desk while speaking to § 87(2)(b). Sgt. Hyland did not recall what was on the desk. Sgt. Hyland stated that § 87(2)(b) had mentioned a robbery and something about a bike, and at that point, Sgt. Hyland was trying to figure out what § 87(2)(b) wanted.

Both PO Chan and PO Cicillini stated that a sergeant, identified by the investigation as Sgt. Hyland, called them to return to the 112th Precinct stationhouse to assist with § 87(2)(b) because Sgt. Hyland knew they had interacted with § 87(2)(b) earlier. When they arrived, § 87(2)(b) was in the waiting area of the 112th Precinct stationhouse. PO Cicillini and PO Chan both stated that they were never informed of why § 87(2)(b) had come to the stationhouse. PO Cicillini stated that § 87(2)(b) did not recognize he and PO Chan. PO Cicillini denied hearing § 87(2)(b) ask Sgt. Hyland to make a complaint at the stationhouse. PO Chan did not remember hearing Sgt. Hyland tell § 87(2)(b) that he could not make a CCRB complaint at the stationhouse.

Upon viewing the stationhouse footage clip (Board Review 11) from 14:48 – 14:55, PO Cicillini denied that he knew what was on the paper fixed to the desk that Sgt. Hyland can be seen gesturing to during the clip, stating that he does not usually look at that table while in the stationhouse.

§ 87(2)(g)

§ 87(2)(g)

Allegation D—Abuse of Authority: At the 112th Precinct stationhouse, Sergeant Robert Hyland refused to provide his name to § 87(2)(b)

Allegation E—Abuse of Authority: At the 112th Precinct stationhouse, Sergeant Robert Hyland refused to provide his shield number to § 87(2)(b)

After § 87(2)(b) insisted on filing his complaint at the 112th Precinct stationhouse, Sgt. Hyland stated that § 87(2)(b) was intoxicated, and said, “You’re drunk, go home.” When § 87(2)(b) argued that he was not intoxicated, Sgt. Hyland stated, “Yes you are drunk, you don’t even recognize them.” § 87(2)(b) then looked up and saw that PO Cicillini and PO Chan were standing next to Sgt. Hyland. Sgt. Hyland then asked § 87(2)(b) if he was leaving and § 87(2)(b) replied that he would leave after he made his complaint.

§ 87(2)(b) then asked Sgt. Hyland for his identification to which he replied that it was on his uniform. § 87(2)(b) looked and saw that Sgt. Hyland had a phone in his front shirt pocket so the flap on the pocket was flipped up, covering his shield. § 87(2)(b) told Sgt. Hyland that he could not see his name, to which the sergeant replied, “I’m not moving my phone so you can see my name, my badge is here.” Sgt. Hyland pointed to the badge, which § 87(2)(b) saw was gold, then turned around. § 87(2)(b) asked PO Chan if he could tell him Sgt. Hyland’s name and PO Chan replied that he did not have to do that.

Stationhouse footage from the 112th Precinct stationhouse shows that from 20:42 – 21:00, Sgt. Hyland angles his shoulders so that his shield, fixed to his uniform shirt, is towards § 87(2)(b) (Board Review 11). He pulls down on his shirt. § 87(2)(b) clearly says something to Sgt. Hyland, then Sgt. Hyland pulls the shirt down again. Sgt. Hyland then walks away from § 87(2)(b).

Sgt. Hyland reviewed this portion of stationhouse footage and though he identified himself and agreed that he was pulling on his shirt, Sgt. Hyland had no independent recollection of the incident as captured in the footage. Sgt. Hyland did not remember if § 87(2)(b) asked for his name and shield number and did not remember if he provided his name and shield number.

PO Cicillini denied hearing Sgt. Hyland refuse to provide his name or shield number to § 87(2)(b). PO Cicillini denied hearing § 87(2)(b) make any statements to Sgt. Hyland about Sgt. Hyland’s shield not being clearly visible. PO Chan stated that he did not remember hearing Sgt. Hyland refuse to provide his name or shield number to § 87(2)(b).

§ 87(2)(g)

Allegation F—Abuse of Authority: At the 112th Precinct stationhouse, Sergeant Robert Hyland removed § 87(2)(b) to the hospital.

§ 87(2)(b) stated that after he asked for Sgt. Hyland’s name and shield number, Sgt. Hyland told PO Cicillini to handcuff § 87(2)(b) and that they were taking him to an ambulance. PO Cicillini handcuffed § 87(2)(b). § 87(2)(b) asked if he was under arrest and Sgt. Hyland replied that he was not but that he was not free to go. § 87(2)(b) reiterated that he was not drunk and added that PO Cicillini and PO Chan had already sent him to the hospital and that a nurse had told him he was fine. Sgt. Hyland stated that the nurse was wrong. An FDNY ambulance arrived and § 87(2)(b) was placed in the back and transported back to § 87(2)(b).

PO Cicillini and PO Chan followed the ambulance in their patrol car. The same nurse § 87(2)(b) had seen the first time saw § 87(2)(b) again. PO Cicillini and PO Chan spoke with

this nurse, and § 87(2)(b) was unsure what was discussed but added that the nurse told PO Cicillini that there were no symptoms of intoxication.

The investigation obtained the Ambulance Call Report for § 87(2)(b)'s transport from the 112th Precinct Stationhouse to § 87(2)(b), which stated that § 87(2)(b) had refused to leave the location and became aggressive toward officers. § 87(2)(b) denied taking any medication or pills and no injuries were found during preliminary exam. § 87(2)(b) refused to share additional information and was described as awake, alert, and oriented (Board Review 13).

PO Chan prepared an AIDED for this incident and wrote that, "At TPO Aided was acting irrational, repeating himself, unable to understand officers' answers to his questions, intoxicated, and was not in the right state of mind to take care of himself. Aided was removed to § 87(2)(b) by EMS. Upon arrived at the triage at § 87(2)(b) aided complained of chest pain." (Board Review 14).

Stationhouse footage from the 112th Precinct stationhouse shows that at 18:47, Sgt. Hyland gestures for § 87(2)(b) to stand up (Board Review 11). Between 19:36-19:44, § 87(2)(b) stands, puts his hands behind his back, and is placed in handcuffs by PO Cicillini. § 87(2)(b) then sits back down and at 32:42, two EMTs arrive and § 87(2)(b) is escorted out of the precinct. The quality of the video in the stationhouse footage clip is fairly clear and § 87(2)(b) does not appear to have any visible injuries to his legs.

Sgt. Hyland stated that § 87(2)(b) smelled of alcohol when he arrived at the 112th Precinct Stationhouse. Sgt. Hyland noticed § 87(2)(b) when he first walked in the door and kept an eye on him. § 87(2)(b) then made a scene, which Sgt. Hyland described as § 87(2)(b) being incoherent and rambling. Sgt. Hyland did not recall what § 87(2)(b) was rambling about. Sgt. Hyland did not remember if § 87(2)(b) was yelling. Sgt. Hyland did not remember if § 87(2)(b) explained why he had come to the 112th Precinct stationhouse.

Sgt. Hyland decided to send § 87(2)(b) to the hospital as an EDP. Sgt. Hyland did not remember if besides the odor of alcohol, § 87(2)(b) had otherwise indicated that he was intoxicated. Sgt. Hyland stated that § 87(2)(b) had lesions on his legs but was unable to elaborate on this and did not remember if he was bleeding. Sgt. Hyland did not remember if he asked § 87(2)(b) to leave the stationhouse prior to deciding to send him to the hospital, and stated that he decided to do so based on § 87(2)(b)'s intoxication, rambling, and lesions. Sgt. Hyland stated that § 87(2)(b) presented a threat to himself and others but did not recall any specific behaviors of § 87(2)(b) that suggested he was a threat. Sgt. Hyland stated that given the totality of the circumstances, he felt § 87(2)(b) was unable to care for himself. Sgt. Hyland was unable to expand on this assessment.

Sgt. Hyland did not remember if anyone informed him that § 87(2)(b) had been to the hospital earlier that night. Sgt. Hyland directed PO Chan and PO Cicillini to handcuff § 87(2)(b) and accompany the ambulance to the hospital.

PO Chan and PO Cicillini both stated that § 87(2)(b)'s demeanor was the same as it had been during the prior incident. PO Chan added that § 87(2)(b) was still exhibiting the same signs of being intoxicated, that he smelled of alcohol, that he was unsteady on his feet, and that he was being verbally combative. PO Cicillini believed that § 87(2)(b) was still intoxicated when he encountered him at the stationhouse. PO Cicillini stated that § 87(2)(b)'s volume was about medium, which he categorized as the same as his volume during their prior interaction.

Sgt. Hyland made the decision to remove § 87(2)(b) to the hospital from the stationhouse and ordered PO Chan and PO Cicillini to escort § 87(2)(b) to the hospital as an EDP. PO Cicillini denied that Sgt. Hyland expanded on what in § 87(2)(b)'s behavior led Sgt. Hyland to categorize § 87(2)(b) as an EDP. PO Chan stated that based off his observations, this removal was again because § 87(2)(b) was intoxicated rather than because he was exhibiting EDP behavior. PO Chan stated that he and PO Cicillini followed the ambulance in an RMP. PO Chan denied having any interaction with EMS or hospital staff to speak about § 87(2)(b).

NYPD Patrol Guide Procedure 221-13 states that when a uniformed member of service reasonably believes that a person who is apparently mentally ill or emotionally disturbed must be

taken into protective custody because the person is conducting himself in a manner likely to result in a serious injury to himself or others, that member of service should ensure that the EDP is secure, then have the EDP removed to the hospital in an ambulance (Board Review 10).

§ 87(2)(g)

[REDACTED]

§ 87(4-b) § [REDACTED]

[REDACTED]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) [REDACTED] has been party (Board Review 15).
- PO Cicillini has been a member-of-service for 13 years and has been a subject in one CCRB complaint and one allegation, none of which were substantiated. § 87(2)(g) [REDACTED]
- PO Chan has been a member-of-service for 7 years and has been a subject in one CCRB complaint and two allegations, none of which were substantiated. § 87(2)(g) [REDACTED]
- Sgt. Hyland has been a member-of-service for 8 years and has been a subject in five CCRB complaints and eight allegations, three of which were substantiated.
 - 201902365 involved substantiated allegations of removal to the hospital, refusal to provide name, and refusal to provide shield number. The Board recommended Command Discipline B and the NYPD has not yet imposed discipline.

Mediation, Civil and Criminal Histories

CCRB Case # 201907279

- § 87(2)(b) declined to mediate this complaint.
- As of February 18th, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 16).
- According to the Office of the Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 17).

Squad No.: 14

Investigator: Alyssa Rogowski Inv. Rogowski 04/30/2020
Signature Print Title & Name Date

Squad Leader: Cassandra Fenkel IM Cassandra Fenkel 04/30/2020
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date